

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

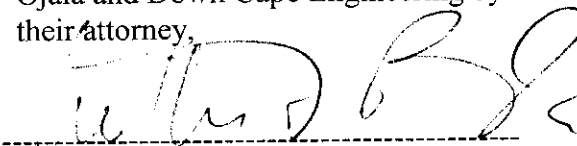
CIVIL ACTION NO: 04-10731RWZ

DEBORAH A. WEINBERGER )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
 )  
ARNE OJALA and DOWN CAPE )  
ENGINEERING, INC. )  
 )  
Defendants )

**DEFENDANTS' CERTIFICATION PURSUANT TO LOCAL RULE 37.1**  
**REGARDING DEFENDANTS' MOTION TO VACATE COURT'S ORDER**

Now comes counsel for Defendants' Ojala and Down Cape Engineering, Inc in the above-captioned matter and certifies, pursuant to Rule 37.1 that he has, on 12/30/04, consulted with Plaintiff's attorney Michael O'Brien concerning said motion and Mr. O'Brien has informed Defendants' counsel that Plaintiff will not oppose Defendants' Motion to Vacate the Court's Order of 12/16/04.

Respectfully submitted for Defendants'  
Ojala and Down Cape Engineering by  
their attorney,



William F. Burke, Esq. BBO #065780  
Burke & McMenimen P.C.  
Thirty-five India Street, Third Floor  
Boston, MA 02110.

**CERTIFICATE OF SERVICE**  
I hereby certify that a true copy of the  
above document was served upon the  
attorney of record for each other party  
by mail-hand copy  
